

**ENTERED**

January 06, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**SCOTT THOMAS PROVOST,  
Defendant.**

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**CRIMINAL NO: 4:22-cr-120**

**PRELIMINARY ORDER OF FORFEITURE**

On January 6, 2023, Scott Thomas Provost ("Defendant"), pleaded guilty to Counts One and Two of the Indictment. Count One charges Defendant with **Receipt of Child Pornography**, in violation of Title 18, United States Code, Section 2252A(a)(2)(B) and 2252A(b)(1). Count Two charges Defendant with **Possession of Child Pornography**, in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and 2252A(b)(1).

The Indictment provided the defendant notice that, in the event of conviction, the United States would seek to forfeit, pursuant to Title 18, United States Code, Section 2253(a)(2) and (a)(3), all property, real and personal, constituting or traceable to gross profits or other proceeds obtained from the offenses charged in Counts One and Two; and all property, real and personal, used or intended to be used to commit or to promote the commission of the offenses charged in Counts One and Two, or any property traceable to such property. Based on the record, the Court finds that the United States has established the requisite nexus between the property listed below and the offenses of conviction. Specifically, the Defendant used a multitude of computers, hard drives, thumb drives, SD cards and various electronic equipment to possess and view multiple images and files depicting child pornography. These images of children engaged in sexually explicit conduct meet the federal statutory definition of child pornography as defined under federal law (18 U.S.C. 2256(2)(A)).

Accordingly, the Court ORDERS that:

- 1) The following property is forfeited to the United States of America:
  - a) Blue HTC Cell Phone, SN: FA54TSR00994, MEID HEX 99000568799738;
  - b) 500 GB Toshiba Hard Drive, SN: 41M9F6L5SKU2ECA;
  - c) Linksys Cable Modem, SN: KBG30F337275;
  - d) Two DVDs, one marked "W2012;"
  - e) Hard Drive, Western Digital Caviar SE, 250 GB, SN: WMAMR1178773;
  - f) Hard Drive, Hitachi 1 TB, SN: JP2940HD18VD8C;
  - g) Hard Drive, Western Digital Caviar SE, 250 GB, SN: WMART1535727;
  - h) Flash Drive, Gamecom brand, 818USB model;
  - i) Sandisk SDHC 8GB SD Card, #BI1319722903D;
  - j) IZOTAC computer w/ WD2500 Hard Drive, Windows tag DYBYVPFJK9GT3D9WCMPHR2232;
  - k) Samsung Galaxy Note 5 cell phone, SIM #8901260181758033454108648 - T-Mobile;
  - l) Dell Hard Drive, 300 GB, SN: 3SE25DHC;
  - m) Toshiba Hard Drive, 2TB, SN: 5W02VMXL;
  - n) Hard Drive, HP 300 GB, SN: THF233I6NX;
  - o) Hard Drive, HP 300 GB, SN: THF233IXXT;
  - p) Computer with at least 4 hard drives, SN: USE152P6EL, HP Brand
  - q) Computer with at least 2 hard drives, SN: USE149MKBC, HP Brand;
  - r) Hard Drive, Western Digital WD2500, 250 GB, SN: WCAT15969721;
  - s) Hard Drive, WD Blue 1TB, SN: WCC3FEPRTF9C;
  - t) Dell 6TB Hard Drive, SN: EJA71WK8GYB75F;

- u) Micro PC Computer, no case, gray in color, hand written on it "UTPE", no other numbers on it;
- v) Toshiba 3TB Hard Drive, SN: 6471VLPGS;
- w) Dell Computer, with at least one hard drive, REG model #E01S, marked Dell LBL P/N #J622RA03;
- x) Computer, Dell Tower, Service Tag JXJVXV1;
- y) Computer, Dell Tower, Service Tag FLT0WV1
- z) Flash Drive, 2TB, Silver and Black, no other markings; and
- aa) Thumb Drive, Sandisk Ultra, 16GB, #BL1901650861Z

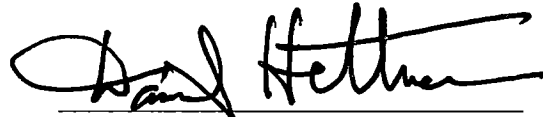
(the "electronic devices").

- (2) The United States of America shall publish notice of this forfeiture order and shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.
- (3) Any person, other than the Defendant, asserting a legal interest in the electronic devices may, within thirty (30) days of the final publication of notice or receipt of notice, whichever is earlier, petition the Court for a hearing to adjudicate the validity of their alleged interest in the property. The petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in that property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in that property, and any other facts which support the petitioner's claim and the relief sought. The petition shall be filed with the United States District Clerk, Southern District of Texas, Houston Division, United States Courthouse, 515 Rusk Avenue, Houston, Texas 77002. A copy of the petition shall be sent to Stephanie Bauman, Assistant United States Attorney, 1000 Louisiana, Suite

2300, Houston, Texas 77002.

- (4) If no one has filed a petition asserting an interest in the electronic devices, in accordance with 21 U.S.C. § 853(n) before the expiration of the period provided, any and all potential third-party petitioners will be held in default and this order will be final as to any and all third-party petitioners. See 21 U.S.C. § 853(n)(7).
- (5) Pursuant to Fed. R. Crim. P. 32.2(b)(4)(B) the forfeiture shall be made part of the defendant's sentence and included in the judgment.

Signed at Houston, Texas, on Jan 6, 2023.

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

David Hittner  
United States District Judge